

**Amendment and Response**

Applicant: Barry D. Kurtz et al.

Serial No.: 09/888,659

Filed: June 25, 2001

Docket No.: 10003919-1

Title: DOCUMENT SERVICES MANAGEMENT INCLUDING AVAILABILITY REPORTING OF DOCUMENT DISTRIBUTION SERVICES

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**REMARKS**

The following remarks are made in response to the Non-Final Office Action mailed December 16, 2003, in which claims 1-25 were rejected. With this Amendment, claims 1-4, 6, 7, 9, 10, 12-15, and 23 have been amended to clarify Applicant's invention. Claims 1-25, therefore, are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103**

Claims 1-5 and 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hower, Jr. et al. U.S. Patent No. 5,467,434. Claims 6-11 and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower, Jr. et al. U.S. Patent No. 5,467,434.

With this Amendment, independent claims 1 and 14 have been amended to clarify that monitoring an availability of the at least one resource for each of the document distribution services includes recording a real-time status and a historical status of the at least one attribute of the at least one resource. In addition, independent claim 15 has been amended to clarify that the availability analysis system is adapted to record a real-time status and a historical status of at least one attribute of at least one resource for each of the document distribution services.

With respect to the Hower, Jr. et al. patent, this patent does not teach or suggest a method of managing document distribution services as claimed in independent claims 1 and 14, nor a system for managing document distribution services as claimed in independent claim 15.

In view of the above, Applicant submits that independent claims 1, 14, and 15 are each patentably distinct from the Hower, Jr. et al. patent and, therefore, are in a condition for allowance. Furthermore, as dependent claims 2-13 further define patentably distinct claim 1, and dependent claims 16-25 further define patentably distinct claim 15, Applicant submits that dependent claims 2-13 and dependent claims 16-25 are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 1-5 and 12-15 under 35 U.S.C. 102(b) and claims 6-11 and 16-25 under 35 U.S.C. 103(a) be reconsidered and withdrawn and that claims 1-25 be allowed.

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DOCUMENT DISTRIBUTION SERVICES**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-25 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either James R. McDaniel at Telephone No. (208) 396-4095, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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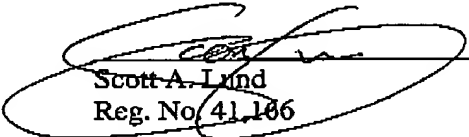
Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 15<sup>TH</sup> day of March, 2004.

By   
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